

DOW, LOHNES & ALBERTSON, PLLC
ATTORNEYS AT LAW

ORIGINAL

DOCKET FILE COPY ORIGINAL

LAURA S. ROECKLEIN
DIRECT DIAL 202-776-2752
lroecklein@dlalaw.com

WASHINGTON, D.C.
1200 NEW HAMPSHIRE AVENUE, N.W. • SUITE 800 • WASHINGTON, D.C. 20036-6802
TELEPHONE 202-776-2000 • FACSIMILE 202-776-2222

ONE RAVINIA DRIVE • SUITE 1600
ATLANTA, GEORGIA 30346-2108
TELEPHONE 770-901-8800
FACSIMILE 770-901-8874

June 28, 1999

VIA HAND DELIVERY

Magalie Roman Salas, Esq.
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

RECEIVED

JUN 28 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Reply Comments of Nextel Communications, Inc.
CC Docket No. 96-61, CMRS Rate Integration

Dear Ms. Salas:

Submitted herewith are an original and four paper copies of the Reply Comments of Nextel Communications, Inc. ("Nextel"). Also enclosed is a 3.5 diskette "read-only copy of same.

Please inform me if any questions should arise in connection with this submission.

Respectfully submitted,



Laura S. Roecklein

LSR/arh

Enclosures

No. of Copies rec'd
List ABCDE

074

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

JUN 28 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Policy and Rules Concerning the)
Interstate Interexchange Marketplace)
)
Implementation of Section 254(g))
of the Communications Act of 1934,)
as Amended)
)
To: The Commission)

CC Docket No. 96-61

REPLY COMMENTS OF NEXTEL COMMUNICATIONS, INC.

Nextel Communications, Inc. ("Nextel"), by its attorneys, hereby submits its Reply Comments on the Further Notice of Proposed Rulemaking in the above-referenced proceeding concerning whether and how to integrate CMRS "interexchange" rates.¹ Nextel agrees with the overwhelming majority of commenters that landline rate averaging and integration obligations cannot rationally be applied to CMRS.² Nextel's comments and these reply comments provide the Commission with the factual and legal underpinnings for forbearance.

A thoughtful examination of the Commission's original rate averaging and integration policies for facilities-based interexchange carriers ("IXCs") reveals that the Commission never

¹ See Policy and Rules Concerning the Interstate Interexchange Marketplace, Implementation of Section 254(g) of the Communications Act of 1934, as amended, *Further Notice of Proposed Rulemaking*, CC Docket No. 96-61, FCC 99-43 (rel. April 21, 1999) ("Notice").

² Nextel, Aerial Communications, AirTouch, America One Communications, Ameritech AT&T Wireless, Bell Atlantic Mobile, BellSouth Corporation, CTIA, CommNet Cellular, GTE, Omnipoint Communications, PCIA, PrimeCo Personal Communications, SBC Wireless and Sprint PCS submitted comments opposing application of rate integration to CMRS. Only the State of Hawaii supported the Commission's CMRS rate integration initiatives. The State of Alaska filed comments that did not take a position on the questions posed in the *Notice*.

mandated that the rates of facilities-based interexchange carriers be identical in every area they serve. Rather, the touchstone of the Commission's landline interexchange rate integration policy always has been assuring comparability in rate levels and rate structures throughout a carrier's service area.

Applying this comparability analysis, it is apparent that CMRS providers already integrate their rate levels and rate structures in the markets they serve. There is no record that any interstate interexchange component of CMRS rates in rural and domestic insular markets is not comparable to the rate levels and rate structures used by CMRS carriers elsewhere throughout the United States. Because there is no systemic rate and rate structure discrimination by CMRS carriers aimed at rural and insular markets, there is no need for regulation that, however well intentioned, will impede free wheeling competition in the CMRS market. Rate regulation of any type is unnecessary to bring any component of CMRS rates to and from domestic off-shore points and rural areas into balance with those offered elsewhere.

Applying the landline mileage band form of rate averaging to CMRS is problematic due to the mobile nature of CMRS traffic. The record in this proceeding demonstrates that rate averaging requirements for facilities-based IXCs cannot rationally be applied to CMRS service plans. Under these circumstances, forbearance from interstate rate averaging requirements is justified.

I. The Purpose of Rate Integration and Averaging Requirements

The legislative history of the 1996 Act states that section 254(g) codifies the Commission's rate integration and averaging policies for landline interexchange carriers in place

prior to the passage of the 1996 Act.³ Understanding the origin and scope of the Commission's rate averaging and integration policies is essential to appreciating the challenges that CMRS carriers face in applying a landline paradigm to wireless services that are neither provisioned nor offered like landline interexchange service.

The Commission first introduced an interstate interexchange rate integration policy in 1972 by requiring satellite-based interstate interexchange service providers to integrate their rates between the contiguous forty-eight states and several domestic offshore points.⁴ With the introduction of domestic satellites, the Commission found that carriers were able to provide service between the mainland and Alaska, Hawaii and Puerto Rico and other off-shore locations at substantially lower rates than prevailing rates. The distance insensitivity of satellite transmissions provided the economic basis for rate integration.⁵ The Commission reasoned that the "public interest requires that the distinctions, particularly with respect to level of charges and rate patterns, should be eliminated."⁶ The Commission thus required that satellite carriers

³ H.R. CONF. REP. No. 104-458, at 132 (1996) ("New [S]ection 254(g) is intended to incorporate the policies of geographic rate averaging and rate integration of interexchange services. . . .").

⁴ Carriers were to integrate their rates and services for offshore points with rates for similar services they provided on the mainland. See Establishment of Domestic Communications Satellite Facilities, *Second Report and Order*, 35 F.C.C.2d 844, 856-57 (*Domsat II*), *aff'd on recon.*, 38 F.C.C.2d 665 (1972), *aff'd sub nom, Network Project v. FCC*, 511 F. 2d 786 (D.C. Cir. 1975).

⁵ According to the Commission, the "relatively high level of charges resulting from these physical factors [*i.e.*, distance and traffic volumes] and cost considerations has inhibited the free flow of communications between the contiguous states and these points to the disadvantage of all of our citizens." See *Domsat II*, 35 F.C.C.2d at 856.

⁶ *Id.* at 857.

serving Alaska, Hawaii and Puerto Rico submit specific proposals to revise their offshore domestic rates. These proposals were reviewed and approved by the Commission.⁷

In 1976, the Commission extended its policies to carriers offering interstate message toll, private line, and specialized services to or from Alaska, Hawaii, Puerto Rico and the U.S. Virgin Islands by undersea cable. The Commission required IXCs to modify their tariffed rates for services provided to or from these areas to reflect levels commensurate to those in the mainland for interexchange calls of similar distance, duration, and time of day.⁸ IXCs generally chose to use mileage bands to ensure that its subscribers in any part of any state paid the same rate for interstate interexchange calls of the same general distance.⁹

The Commission *never* required that the interexchange per minute rate for service to or from Hawaii, for example, and the mainland be identical to the rate charged for service between two mainland locations. Rather, the Commission's rate integration policy merely requires the use of the same rate *structure* and rate making *methodology* for a particular service plan in every state, territory or U.S. possession where a carrier offers interstate interexchange service.

⁷ The proposals were to give the "maximum effect to the elimination of overall distance as a major cost factor and should be designed, in specified time phases if necessary, to integrate these three United States points into the uniform mileage rate pattern that now obtains for the contiguous states, with all that such approach implies in terms of nationwide cost averaging and equalizations for interstate ratemaking purposes." *See id.*

⁸ Prior to that time, direct dialed voice service to and from Alaska, Hawaii, and other noncontiguous points were based on international rates and were more than twice as high as interstate rates for comparable distances within the contiguous states. *See Integration of Rates and Services, Memorandum Opinion, Order and Authorization*, 61 F.C.C.2d 380, 392 (1976). *See also* Policy and Rules Concerning the Interstate, Interexchange Marketplace Implementation of Section 254(g) of the Communications Act of 1934, as amended, *First Memorandum Opinion and Order*, 12 FCC Rcd 11548 (1997) ("Rate Integration Order").

⁹ *See* Policy and Rules Concerning the Interstate, Interexchange Marketplace Implementation of Section 254(g) of the Communications Act of 1934, as amended, *First Memorandum Opinion and Order on Reconsideration*, 12 FCC Rcd 11812, 11818 (1997).

II. Landline Implementation of Section 254(g)

Section 254(g) required Commission adoption of implementing rules within six months of the passage of the 1996 Act. The Commission's rule mirrors the text of section 254(g).¹⁰ The Commission confirmed its understanding that this provision embodied its previously existing policies, extended to several additional offshore domestic points.¹¹

Consistent with its previous policy, the Commission concluded that IXC rates to and from rural and off-shore points should reflect levels *comparable* to those offered on the mainland for calls of similar distance, duration and time of day.¹² Specifically, the Commission concluded that "establishing reasonable mileage bands for calls" was a viable means of compliance.¹³ The Commission also determined that other, unspecified rate structures could satisfy carrier obligations.¹⁴

¹⁰ 47 C.F.R. § 153(40). Policy and Rules Concerning the Interstate, Interexchange Marketplace, Implementation of Section 254(g) of the Communications Act of 1934, as amended, *Report and Order*, 11 FCC Rcd 9564 (1996) ("*Rate Averaging and Rate Integration Report and Order*"), *aff'd on recon.*, *First Memorandum Opinion and Order on Reconsideration*, 12 FCC Rcd 11812 (1997).

¹¹ Section 254(g) extended rate integration to additional offshore domestic points, including Guam, the Commonwealth of the Northern Mariana Islands ("CNMI"), and American Samoa. The Commission directed IXCs make proposals to include these new off-shore points within rate integration and delegated to the Common Carrier Bureau the authority to resolve any issues raised by these carrier proposals.

¹² See, e.g., *Rate Averaging and Rate Integration Report and Order*, 11 FCC Rcd at 9586.

¹³ *Id.* at 9588.

¹⁴ Specifically the Order stated: "we believe that carriers that offer their customers rates based on reasonable differences in duration, time of day, and mileage bands will satisfy their obligations under Section 254(g) to provide geographically averaged rates between subscribers in rural and high-cost areas and subscribers in urban areas. . . . Although we do not specify any particular alternative approaches, we believe there may be other rate schemes that are consistent with the statute's geographic rate averaging requirement." *Id.*

Thus, any suggestion that section 254(g) requires that a carrier's interstate, interexchange rates must be the same throughout the United States and U.S. territories and possessions is flatly inconsistent both with the Commission's previous policies and with its implementation of section 254(g) for landline interexchange service providers. For example, the Common Carrier Bureau recently approved IXC rate proposals that offer per minute rates that are *comparable* on calls of similar distance, duration and time of day.¹⁵ The Bureau also approved as compliant optional calling plans offered uniformly throughout a carrier's service area, so long as the optional rate plan is available to similarly situated customers within the IXC's service territory.¹⁶ The Bureau also held that IXC postalized rate plans, which feature per minute rates that do not vary by distance or time of day, are fully integrated and averaged.¹⁷ This background affects any consideration of rate averaging and integration of CMRS rates.

¹⁵ AT&T proposed to implement rate integration for service provided to or from Guam and CNMI by expanding its longest current mileage band to include calls to these points. MCI proposed to move Guam and CNMI from its international to its domestic rate schedule and implement rate integration by treating Guam and CNMI like Puerto Rico and the U.S. Virgin Islands. Sprint proposed to integrate Guam and CNMI into its existing Dial-1 interstate interexchange time, time of day, and distance sensitive rate structure by adding two additional mileage bands.

¹⁶ See *Rate Averaging and Rate Integration Report and Order*, 11 FCC Rcd at 9571 (citations omitted). AT&T also proposed to make calls to Guam and CNMI eligible for inclusion in all of AT&T's domestic optional calling plans and volume discount programs. For its private line services, AT&T proposed to adopt the same rate-making methodology for service to and from these offshore points as for other domestic services. The Bureau approved these proposals as compliant.

¹⁷ AT&T, for example, stated its intention and the Bureau accepted its commitment to generally to make its postalized rate plans available to and from all off-shore domestic points.

III. There Is No Serious CMRS Rate Integration Issue

As acknowledged by the Commission and numerous commenters, CMRS services are not like landline IXC services.¹⁸ More fundamentally, once the reasons for applying rate integration and averaging methodologies to IXC rate plans are examined, it becomes obvious that these reasons do not apply to CMRS. There are no comparable concerns about CMRS rates that should be addressed by new regulation.

Generally, the wireless industry has seen the introduction of innovative pricing and calling plans that are providing customers additional flexibility and lower prices. Nextel's comments, for example, contained substantial information about and examples of Nextel's rate plans, and the competitive alternatives they offer consumers. Nextel offers a variety of service packages designed to appeal primarily to large and small business customers. In every digital rate plan it offers, Nextel uses the same rate structure and same general rate development methodology throughout its service areas. While the resulting rates may be somewhat different in Honolulu and New York, the rates are certainly comparable.¹⁹ Under the standards articulated by the Commission, CMRS providers like Nextel that offer their rate plans to

¹⁸ See, e.g., Comments of Bell Atlantic Mobile at 13 ("wireless carriers do not price service that is defined or bounded by telephone exchanges, but by using areas that are set by competitive considerations."); see also Comments of BellSouth at 13.

¹⁹ For example, under Nextel's "Integrated Rate Plans," the current Integrated Rate Plan charges for Honolulu is \$60.00 per month, which includes 225 minutes of airtime and \$0.21 for each additional non-long distance minute. Nextel offers residents in Los Angeles a comparable rate of \$79.99 per month with 250 minutes of airtime included and \$0.28 for each additional minute, and subscribers in New York pay \$69.95 per month with 300 minutes of airtime included and \$0.25 for each additional minute. Nextel also offers its National Business Plan in all the markets it serves. This plan does not differentiate local from long distance minutes in the basic service package.

similarly situated customers in all their service areas, should be deemed in compliance with existing rate integration policies.

Similarly, no public policy interest is served by applying a landline mileage band form of rate averaging to CMRS long distance services as a means to ensure rate comparability between urban and rural areas. While the Commission has endorsed a landline mileage band approach as compliant with rate averaging requirements, it is uncertain how such a structure might be applied in a mobile environment. It is a characteristic of CMRS that calls are not distinguished based on a mileage band or fixed distances between the calling and the called party. Even where a long-distance charge is assessed on a CMRS call, it is based on the CMRS carrier's judgment of the competitive climate in the local market rather than call distance.²⁰ It is not evident how rate averaging would be possible for CMRS carriers to implement and even less obvious what the benefits of such a requirement would be. Because most, if not all, CMRS providers charge comparable rates that are based on the competitive conditions of the market to their subscribers in rural, high-cost and urban areas, it is unnecessary for the Commission independently to apply a rate averaging rule to CMRS operations. Given the increasingly innovative and highly competitive pricing plans offered by CMRS carriers, it would be curious — particularly in this era of deregulation and general acknowledgement of the competitive nature of the CMRS industry — to adopt wholly unnecessary rate regulations that are aimed at solving a problem that does not exist.²¹

²⁰ Nextel Comments at 8.

²¹ See FCC Adopts Fourth Annual Report on State of Wireless Competition, *News Release*, (rel. June 10, 1999) (“The Fourth Report concludes that competition has increased since the release of last year’s report, especially within the mobile telephony sector of CMRS. This increased competition has meant lower prices and more choices for Americans.”); see also *continued...*

IV. Any Integration Rule Must Reflect the Broad Differences Among CMRS Carriers.

In an attempt to set parameters on a CMRS carriers' obligations, the Commission adopted the Major Trading Area ("MTA") as the relevant boundary for determining what CMRS traffic should be deemed "interstate, interexchange" traffic.²² The problem with an MTA-specific approach, however, is that it fails to consider the unique licensing and operational differences of various subsets of CMRS carriers. The Commission seems to have assumed an MTA boundary definition of "interexchange" would have no impact on CMRS carrier operations. As Nextel demonstrated, CMRS carriers do not operate with common network designs or in common licensing environments. While many carriers have regional operations, only a subset of PCS carriers were actually licensed using MTA markets. In developing any CMRS rate integration or averaging rules, the Commission cannot simply assume a uniform MTA definition approach will work.

Should the Commission press forward, it is required to provide CMRS carriers with enough time and specific guidance to implement whatever ultimate policies are adopted. Indeed, to the extent the Commission sweeps CMRS rate plans under the section 254(g) umbrella, it must provide concrete guidance on the appropriate means of compliance. When it first adopted rate integration, the Commission provided facilities-based IXC's with a transitional phase-in

...continued

Opening Remarks of Thomas J. Sugrue at FCC Opening Meeting on June 10, 1999 (demonstrating the dramatic increase in CMRS subscribership and overall growth of the mobile telephony industry over the past five years while per minute charges have declined).

²² Policy and Rules Concerning the Interstate Interexchange Marketplace, Implementation of Section 254(g) of the Communications Act of 1934, as amended, *Memorandum Opinion and Order*, 14 FCC Rcd 391, 401-02 (1998) ("Order"). Nextel has filed a Petition for Reconsideration of this decision. See Petition for Reconsideration of Nextel Communications, Inc., CC Docket No. 96-61 (filed March 4, 1999).

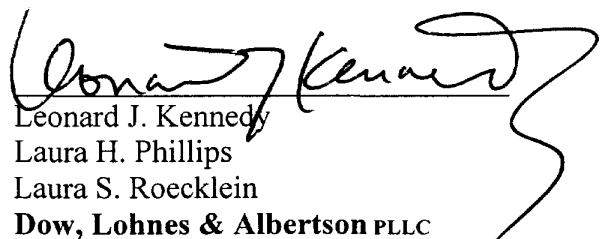
period after reviewing IXC integration proposals. Obviously, the best policy would be to monitor the CMRS industry and take action if the public interests requires in the future.

V. Conclusion

The comments in this proceeding demonstrate that it makes little if any sense to require rate integration or averaging in today's CMRS market. CMRS rates to domestic off-shore points and rural, insular and high cost areas are comparable to CMRS rates for local and long distance CMRS services throughout the entire United States. Given this comparability, CMRS carriers can be deemed in compliance with the Commission's rate integration rules and policies. The Commission should take no action imposing rate or rate structure requirements on an industry that is already highly competitive and has no history of discriminatory rates to insular and rural markets. Based on Nextel's analysis, the Commission can find the legal and policy bases for forbearance met. Any foray into CMRS rate regulation is unnecessary to protect consumers and is fraught with complexity.

Respectfully submitted,

NEXTEL COMMUNICATIONS, INC.



Leonard J. Kennedy
Laura H. Phillips
Laura S. Roecklein
Dow, Lohnes & Albertson PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036
202-776-2000

Its Attorneys

Robert S. Foosaner
Lawrence R. Krevor
Laura L. Holloway
Nextel Communications, Inc.
2001 Edmund Halley Drive
Reston, VA 20191
(703) 433-4141

June 28, 1999

CERTIFICATE OF SERVICE

I, Alicia R. Harris, a secretary at Dow, Lohnes & Albertson, PLLC, do hereby certify that on this 28th day of June, 1999, I caused copies of the foregoing Reply Comments of Nextel Communications, Inc. to be served upon the parties listed below via hand delivery or first class mail:

William E. Kennard, Chairman*
Federal Communications Commission
445 12th Street, S.W., Room 8B-201
Washington, D.C. 20554

Harold Furchtgott-Roth, Commissioner*
Federal Communications Commission
445 12th Street, S.W., Room 8A-302
Washington, D.C. 20554

Michael Powell, Commissioner*
Federal Communications Commission
445 12th Street, S.W., Room 8A-204A
Washington, D.C. 20554

Gloria Tristani, Commissioner*
Federal Communications Commission
445 12th Street, S.W., Room 8C-302
Washington, D.C. 20554

Susan Ness, Commissioner*
Federal Communications Commission
445 12th Street, S.W., Room 8B-115
Washington, D.C. 20554

James Schlichting*
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 8B-201
Washington, D.C. 20554

Kathleen O'Brien Ham*
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 8B-201
Washington, D.C. 20554

Thomas Sugrue, Chief*
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 3C-252
Washington, D.C. 20554

Jeanine Poltronieri*
Wireless Telecommunications Bureau
Federal Communications Commission
445 12th Street, S.W., Room 3C-252
Washington, D.C. 20554

Janice M. Myles*
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W., Room 5C-327
Washington, D.C. 20554

ITS*
1231 20th Street, N.W.
Washington, D.C. 20036

Douglas I. Brandon
Vice President – External Affairs
AT&T Wireless Services, Inc.
1150 Connecticut Avenue, NW, # 400
Washington, D.C. 20036

Howard J. Symons
Sara F. Seidman
Amy Bushyeager
Mintz, Levin, Cohn, Ferris, et al
701 Pennsylvania Ave., Suite 900
Washington, D.C. 20004-2608

Raidza Wick, Esq.
American One Communications, Inc.
2650 Park Tower Drive
4th Floor
Vienna, VA 22180

Henry Goldberg, Esq.
W. Kenneth Ferree
Goldberg, Godles, Wiener & Wright
1229 19th Street, N.W.
Washington, D.C. 20036

Jeffrey S. Linder
Angela N. Watkins, Esq.
Nicole M. McGinnis
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006
C. Claiborne Barksdale
BellSouth Corporation
1100 Peachtree Street, NE, Suite 910
Atlanta, GA 30309-4599

Gail L. Polivy, Esq.
GTE Service Corporation
1850 M Street, N.W.
Suite 1200
Washington, D.C. 20036

William B. Barfield
Jim O. Llewellyn
BellSouth Corporation
1155 Peachtree Street, NE, Suite 1800
Atlanta, GA 30309-2641

David G. Frolio, Esq.
BellSouth Corporation
1133 21st Street, N.W.
Washington, D.C. 20036

Michael F. Altschul
Vice President, General Counsel
Cellular Telecomm, Industry Assoc.
1250 Connecticut Avenue, NW
Washington, D.C. 20036

Randall S. Coleman, Vice President
Regulatory Policy and Law
Cellular Telecomm. Industry Assoc.
1250 Connecticut Avenue, NW
Washington, D.C. 20036

Katherine M. Harris
Davida M. Grant
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

S. Mark Tuller, Vice President-Legal &
Ext. Affairs, Sec. & General Counsel
Bell Atlantic Mobile, Inc.
180 Washington Valley Road
Bedminster, NJ 07921

Eva-Maria Wohn
Vice President, External Affairs
United States Cellular Corporation
8410 West Bryn Mawr Ave., Suite 700
Chicago, IL 60631

Daniel P. Dwyer
President and Chief Operating Officer
CommNet Cellular, Inc.
8350 East Crescent Parkway
Englewood, CO 80111

Jonathan C. Chambers
Roger C. Sherman
Sprint Spectrum L.P. d/b/a Sprint PCS
1801 K Street, N.W., Suite M112
Washington, D.C. 20006

Herbert E. Marks
Brian J. McHugh
Squire, Sanders & Dempsey L.L.P.
1201 Pennsylvania Avenue, N.W.
Washington, D.C. 20044

Mary McDermott
Chief of Staff and Sen. Vice President
Government Relations
Personal Communications Ind. Ass.
500 Montgomery Street, Suite 700
Alexandria, VA 22314-1561

Frank Michael Panek
Counsel for Ameritech
2000 West Ameritech Center Drive
Room 4H84
Hoffman Estates, IL 60195

George Y. Wheeler
Koteen & Maftalin, L.L.P.
1150 Connecticut Avenue, N.W.
Suite 1000
Washington, D.C. 20036

Bruce E. Beard
Vice President-Legal
SBC Wireless, Inc.
930 National Parkway
Schaumburg, IL 60173

William L. Roughton, Jr.
Associate General Counsel
Primco Personal Communications, L.P.
601 13th Street, N.W., Suite 320 South
Washington, D.C. 20005

Benjamin H. Dickens, Jr.
Mary J. Sisak
Blooston, Mordkofsky, Jackson et al.
2120 L Street, N.W., Suite 300
Washington, D.C. 20037

Mary Madigan Jones
Vice President – External Affairs
Personal Communications Ind. Ass.
500 Montgomery Street, Suite 700
Alexandria, VA 22314-1561

Brian T. O'Connor, Esq.
Vice President, External Affairs
Aerial Communications, Inc.
941- West Bryn Mawr Ave., Suite 1100
Chicago, IL 60631

John W. Katz
Special Counsel to the Governor
Director, State-Federal Relations
444 North Capitol St., NW, Suite 336
Washington, D.C. 20001

Carol L. Tacker
Executive Vice President-Legal
SBC Wireless, Inc.
17330 Preston Road
Dallas, TX 75252

* Hand Delivery


Alicia R. Harris